

FOR THE WESTERN DISTRICT OF VIRGINIA

HARRISONBURG DIVISION

Rodney Soulsby, II

Plaintiff

Civil Action No. 5:22-cv-00069

V.

Honorable Judge K. Dillon

Ashlyn D. Vint

United States District Judge

Defendant

MOTION TO DISMISS the DEFENDANTS MOTION TO DISMISS

In response to opposing counsels Motion to Dismiss, please accept this memorandum and all Motions attached based on my Pro Se filing.

First and foremost, above any and all else following, Petitioner asks the court to DISMISS Defendants Motion to Dismiss if Not for any other reason filed in response, just for the sole reason of:

There is NO SIGNATURE on the MOTION TO DISMISS nor any signature on the MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT'S RULE 12(b)(6) MOTION TO DISMISS

Federal Rules of Procedure; Title III, Pleadings and Motions; Rule 11. Signing Pleadings and Other Papers; Representations to the Court: Sanctions


(a) Signature- Every Pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney's name—or by the party personally if the party is unrepresented. The paper must also state the signer's address, e-mail address, and telephone number.

The copies received by the Petitioner (exhibit 1 and Exhibit 2 attached) and presumably received by the court of the Defendant's counsel appear to be originals (filed on Dec 14, 2022), but both FAIL to have any signature of any kind on them from any member of counsel or its law firm it represents nor any signature from the Defendant herself.

Therefore under Rule 11 stated above, Petitioner asks the court to GRANT Petitioner's Motion to Dismiss the Defendants Motion to Dismiss for failing to sign either its Motion to Dismiss or its Memorandum of Law in Support of Defendant's Rule 12(b)(6) Motion to Dismiss, and to DENY Defendant's Motion to Dismiss and its Memorandum, and to enter the Order attached.

Respectfully submitted by,




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CERTIFICATE OF SERVICE

I hereby certify that on Jan. 03, 2023, a true and correct copy of the foregoing instrument has been forwarded by first class mail to: K. Olga Sas-Jaworsky Legal Assistant to Kevin M. Rose BotkinRose PLC 3190 Peoples Drive Harrisonburg, VA 22801, counsel of record for Ashlyn D. Vint. 

Rodney Soulsby II, Pro Se

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